

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

ROGER D. LEWIS,

Petitioner,

-vs-

WARDEN, Pickaway Correctional
Institution,

Respondent.

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Case No. 3:08-cv-152

:

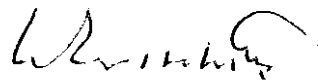
District Judge Walter Herbert Rice
Chief Magistrate Judge Michael R. Merz

ORDER ADOPTING REPORT AND RECOMMENDATIONS

The Court has reviewed the Report and Recommendations of United States Magistrate Judge Michael R. Merz (Doc. No. 3), to whom this case was referred pursuant to 28 U.S.C. §636(b), and noting that no objections have been filed thereto and that the time for filing such objections under Fed. R. Civ. P. 72(b) expired on May 22, 2008, hereby ADOPTS said Report and Recommendations.

It is therefore ORDERED that the Petition herein be dismissed with prejudice and Petitioner be denied any request for certificate of appealability or to appeal *in forma pauperis*.

May 30, 2008.



Walter Herbert Rice
United States District Judge